

# United States Court

## District of Oregon

United States of America,  
Plaintiff,

Case

No. 3:17-CR-00400-HZ

-V-

Motion to Exclude  
Evidence (In Limine)

Jason Paul Schaefer,  
Defendant.

Comes now, Defendant pro-se Jason Schaefer, moving these Courts to exclude from Trial phone calls and recordings from the Washington County Jail due to their lack of foundation, Authenticity, and relevancy. The recordings do not meet any exception to the Hearsay rule as the defendant was in extraordinary pain and distress, and was under the influence of very strong pain medications, i.e. Dilaudid/Hydromorphone. The Defendant had been diagnosed by the Jail with "Short-term memory Impairment", and had his clothing taken from him.

The defendant had just suffered traumatic injury to his left hand, and had exposed surgical pins and even exposed bone. Bandages had to be changed daily due to constant bleeding. The defendant was delirious and in a state of Hysteria.

The recordings are largely inaudible, and Subject to interpretation. They are so inaudible so as to be irrelevant. They are a machine recording from the company "Securus", and hearsay.

At the time, the Defendant was being charged with Assault, and the Statements were not against his Penal Interests. As a witness, the defendant was Not-Competent, and mentally infirm.

The Defense has attached medical records from Washington County Jail, and 1 photograph from the Hospital, as exhibits for these arguments.

Respectfully Submitted this April 26<sup>th</sup>, 2019,

Jason Schaefer

